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TO: Examiner Fred O. Ferris III - Group Art Unit 2128 - U.S.P.T.O.

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Application No.: 09/848,520

Inventor(s): Eric C. Berg et al.

Filed: May 3, 2001

Docket No.: 8070ML\$

Confirmation No.: 7535

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Art Unit : 2128
Examiner : Fred O. Ferris III
Docket No. : 8070ML\$
Confirmation No. : 7535
Customer No. : 27752
Title : Computer Apparatuses And Processes For Analyzing A System Having False Start Events

RESPONSE TO OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

This is responsive to the Office Action of January 26, 2007.

Claims 1, 2, 5-7, 9-13, 15, 17-20, and 22 are currently pending. The previous indication of allowable subject matter has been withdrawn in view of the information submitted in the IDS relating to Application Serial No. 09/565,008. The pending claims now stand rejected under 35 U.S.C. Section 102(b).

The Office Action states the pending claims were rejected under 35 U.S.C. Section 102(b) because the invention was said to be in public use or on sale in this country, more than one year prior to the date of application for patent in the United States, "as admitted by the applicants in the IDS filed on November 1, 2004 in Application Number 09/565,008."